

## UNITED STATES COAST PILOT CORRECTIONS

### COAST PILOT 8      28 Ed 2006      Change No. 11 LAST NM 13/07

Page 99—Paragraph 1209, line 4 to Paragraph 1210, line 1; read:  
designate.

## TITLE 36-PARKS, FORESTS, AND PUBLIC PROPERTY

### PART 13-National Park System Units in Alaska

#### Subpart A—Administrative Provisions

##### §13.1 Definitions.

The following definitions shall apply to all regulations ...  
(DD 8463; FR 11/30/06) 17/07

Page 100—Paragraph 1240, line 1; read:

(a) The regulations contained in part 13 are ...  
(DD 8463; FR 11/30/06) 17/07

Page 100—Paragraph 1241 to Paragraph 1242, line 1; read:

(b) Subparts A through F contain regulations applicable to park areas. Such regulations amend in part the general regulations contained in this chapter. The regulations in subparts A through F govern use and management, including subsistence activities, within the park areas, except as modified by special park regulations in subparts H through V.

(c) Subpart F contains regulations ...  
(DD 8463; FR 11/30/06) 17/07

Page 100—Paragraph 1242, line 8 to Paragraph 1244, line 1; read:

National Historical Park, the former Mt. McKinley National Park. The regulations in subpart F amend in part the general regulations contained in this chapter and the regulations contained in subparts A through C of part 13.

(d) Subparts H through V contain special regulations for specific park areas. Such regulations amend in part the general regulations contained in this chapter and the regulations contained in subparts A through F of part 13.

(e) Subpart E of this part 13 contains regulations ...  
(DD 8463; FR 11/30/06) 17/07

Page 101—Paragraph 1247, line 2 to Paragraph 1248, line 3; read:  
corporation.

##### §13.4 Information collection.

The information collection requirements contained in subparts C and G, and §§13.55, 13.440, 13.450, 13.485, and 13.495 are necessary for park Superintendents to issue ...  
(DD 8463; FR 11/30/06) 17/07

Page 101—Paragraph 1248, line 11 to Paragraph 1249, line

1; read:  
number 1024-0026.

#### Subpart B-General Provisions

##### §13.20 Obstruction of airstrips.

(a) A person may not place an object on the surface ...  
(DD 8463; FR 11/30/06) 17/07

Page 101—Paragraph 1250, line 6 to Page 106—Paragraph 1355, line 1; read:  
the aircraft.

##### §13.25 Camping.

(a) Camping is authorized in park areas except where such use is prohibited or otherwise restricted by the Superintendent in accordance with this section, the provisions of §13.50, or as set forth for specific park areas in subparts H through V of this part.

(b) *Site time-limits.* Camping is authorized for 14 ...  
(DD 8463; FR 11/30/06) 17/07

Page 106—Paragraph 1356 to Paragraph 1362, line 1; read:

(c) *Designated campgrounds.* Except at designated campgrounds, camping is prohibited on NPS facilities. The Superintendent may establish restrictions, terms, and conditions for camping in designated campgrounds. Violating restrictions, terms, and conditions is prohibited.

##### §13.26 Picnicking.

Picnicking is authorized in park areas except where such activity is prohibited or otherwise restricted by the Superintendent. The public will be notified by one or more of the following methods—

(a) Signs posted at conspicuous locations, such as normal points of entry or reasonable intervals along the boundary of the affected park locale;

(b) Maps available in the office of the Superintendent and other places convenient to the public;

(c) Publication in a newspaper of general circulation in the affected area; or

(d) Other appropriate methods, including park Web sites, brochures, maps, and handouts.

##### §13.30 Weapons, traps and nets.

(a) Irritant chemical devices, including bear spray, ...  
(DD 8463; FR 11/30/06) 17/07

Page 107—Paragraph 1371, line 6 to Paragraph 1372, line 1; read:  
Federal laws.

##### §13.35 Preservation of natural features.

(a) This section applies to all park areas in Alaska ...  
(DD 8463; FR 11/30/06) 17/07

Page 107—Paragraph 1389, line 3 to Paragraph 1390; read:  
resources.

### **§13.40 Taking of fish and wildlife.**

- (a) [Reserved]  
(DD 8463; FR 11/30/06) 17/07

Page 108—Paragraph 1403, line 8 to Paragraph 1404, line 1; read:

trapping and representatives of affected users.

### **§13.45 Unattended or abandoned property.**

- (a) This section applies to all park areas in Alaska ...  
(DD 8463; FR 11/30/06) 17/07

Page 109—Paragraph 1415, line 4 to Paragraph 1417, line 1; read:

be impounded by the Superintendent at any time.

### **§13.50 Closure procedures.**

(a) *Authority.* The Superintendent may close an area or restrict an activity on an emergency, temporary, or permanent basis.

- (b) *Criteria.* In determining whether to close an ...  
(DD 8463; FR 11/30/06) 17/07

Page 109—Paragraph 1427, line 4 to Paragraph 1428, line 1; read:

section is prohibited.

### **§13.35 Permits.**

- (a) *Application.* (1) Application for a permit required ...  
(DD 8463; FR 11/30/06) 17/07

Page 248—Paragraph 51, line 4 to Paragraph 53; read:  
rips are usually very heavy in this channel.

- (CL 1250/06; NOS 17402) 17/07

Page 316—Paragraph 267, line 3; read:

to the inlet is marked by a daybeacon, a buoy and a light.  
(48/06 CG17) 17/07

Page 379—Paragraph 122, lines 2 to 3; read:

Park and Preserve. (See **36 CFR 13.1 through 13.55 and 13.1102 through 13.1188**, chapter 2, for regulations and **MMA 15-1**, ...

- (DD 8463; FR 11/30/06) 17/07

### **COAST PILOT 8                      28 Ed 2006                      Change No. 12**

Page 110—Paragraph 1434, line 9 to Page 116—Paragraph 1573; read:  
action.

### **Subpart N-Special Regulations-Glacier Bay National Park and Preserve**

#### **Administrative Provisions**

#### **§13.1102 Definitions.**

As used in this subpart:

*Bartlett Cove Developed Area* means all NPS-administered lands and waters within 1 mile of any Bartlett Cove facility. A map showing the Bartlett Cove Developed Area is available at the park visitor center.

*Charter vessel* means any motor vessel under 100 tons gross (U.S. System) or 2,000 tons gross (International Convention System) engaged in transport of passengers for hire and certified to carry no more than 12 passengers overnight and no more than 49 passengers for daytime use. Charter vessels also include any uninspected motor vessel measuring less than 200 tons gross (U.S. Tonnage “Simplified Measurement System”) and not more than 24 meters (79 feet) in length engaged in transport of passengers for hire.

*Commercial fishing* means conducting fishing activities under the appropriate commercial fishing permits and licenses as required and defined by the State of Alaska.

*Commercial fishing vessel* means any motor vessel conducting fishing activities under the appropriate commercial fishing licenses as authorized under this subpart.

*Cruise ship* means any motor vessel of at least 100 tons gross (U.S. System) or 2,000 tons gross (International Convention System) certificated to carry more than 12 passengers for hire.

*Daily vessel quota* means the maximum number of vessels allowed, by vessel category, on any one calendar day.

*Glacier Bay* means all waters inside a line drawn between Point Gustavus at 135°54.93'W.; 58°22.75'N. and Point Carolus at 136°02.54'W.; 58°22.69'N.

*Motor vessel* means any vessel, other than a seaplane, propelled or capable of being propelled by machinery (including steam), whether or not such machinery is the principal source of power, except a skiff or tender under tow or carried on board another vessel.

*Outer waters* means all of the nonwilderness marine waters of the park located outside of Glacier Bay.

*Passenger ferry* means a motor vessel authorized by the Superintendent to engage in the transport of passengers for hire to Bartlett Cove.

*Private vessel* means any motor vessel that is not engaged in business (business includes, but is not limited to, transportation of passengers for hire or commercial fishing).

*Seasonal vessel quota* means the maximum number of vessels allowed, by vessel category, during a specific seasonal period.

*Speed through the water* means the speed at which a vessel moves through the water (which itself may be moving); as distinguished from “speed over the ground” (speed measured in relation to a fixed point on the earth).

*Tour vessel* means any motor vessel of less than 100 tons gross (U.S. System) or 2,000 tons gross (International Convention System) engaged in transport of passengers for hire and certificated to carry more than 12 passengers overnight or more than 49 passengers for daytime use.

*Transit* means to operate a motor vessel under power and continuously so as to accomplish ½ nautical mile of littoral (i.e., along the shore) travel.

*Vessel* includes every type or description of craft used as a means of transportation on the water, including a buoyant device permitting or capable of free flotation and a seaplane

while operating on the water.

*Whale* means any humpback whale (*Megaptera novaeangliae*).

*Whale waters* means any portion of Glacier Bay, designated by the superintendent, having a high probability of whale occupancy, based upon recent sighting and/or past patterns of occurrence.

#### **§13.1104 Coordinates.**

All coordinates referenced in this subpart use horizontal datum World Geodetic System of 1984 (WGS 84).

#### **Bartlett Cove**

#### **§13.1120 Bartlett Cove Developed Area closures and restrictions.**

The Superintendent may prohibit or otherwise restrict activities in the Bartlett Cove Developed Area to protect public health, safety, or park resources, or to provide for the equitable and orderly use of park facilities. Information on closures and restrictions will be available at the park visitor information center. Violating Bartlett Cove Developed Area closures or restrictions is prohibited.

#### **§13.1122 Bartlett Cove Public Use Dock.**

(a) Docking, tying down, or securing aircraft is prohibited except at the designated aircraft float at the Bartlett Cove Public Use Dock. Docking, tying down, or securing aircraft to the Bartlett Cove Public Use Dock for longer than 3 hours in a 24-hour period is prohibited. Pilots must remain with the aircraft or provide notice of their location to a park ranger. Failure to remain with the aircraft or provide notice to a park ranger is prohibited.

(b) Vehicles exceeding 30,000 pounds gross vehicle weight are prohibited on the dock, unless authorized by the Superintendent.

(c) Leaving personal property (other than vessels) unattended on, or attached to, the floats or pier without prior permission from the Superintendent is prohibited.

(d) Processing commercially caught fish on the Public Use Dock is prohibited.

(e) The Superintendent may authorize the buying or selling of fish or fish products on or at the Public Use Dock. Buying or selling of fish or fish products is prohibited on or at the Public Use Dock without written permission from the Superintendent.

(f) Utilizing the fuel dock for activities other than fueling and waste pump-out is prohibited. Other uses may be authorized by the Superintendent to protect park resources or public safety.

(g) Leaving a vessel unattended on the fuel dock for any length of time is prohibited.

(h) Using electrical shore power for vessels is prohibited unless otherwise authorized by the Superintendent.

#### **Commercial Fishing**

#### **§13.1130 Is commercial fishing authorized in the marine waters of Glacier Bay**

#### **National Park?**

Yes—Commercial fishing is authorized within the outer waters of the park and within the non-wilderness waters of Glacier Bay, subject to the provisions of this chapter.

(a) Commercial fishing shall be administered pursuant to a cooperatively developed State/federal park fisheries management plan, international conservation and management treaties, and existing federal and non-conflicting State law. The management plan shall provide for the protection of park values and purposes, the prohibition on any new or expanded fisheries, and the opportunity to study marine resources.

(b) Commercial fishing or conducting an associated buying or processing operation in wilderness waters is prohibited.

(c) A new or expanded fishery is prohibited. The Superintendent shall compile a list of the existing fisheries and gear types used in the outer waters and follow the procedures in §§1.5 and 1.7 of this chapter to inform the public.

(d) Maps and charts showing which marine areas of Glacier Bay are closed to commercial fishing are available from the Superintendent.

#### **§13.1132 What types of commercial fishing are authorized in Glacier Bay?**

Three types of commercial fishing are authorized in Glacier Bay nonwilderness waters: Longline fishing for halibut; pot and ring fishing for Tanner crab; and trolling for salmon.

(a) All other commercial fishing, or a buying or a processing operation not related to an authorized fishery is prohibited in Glacier Bay.

(b) On October 1, 2000, each fishery will be limited to fishermen who qualify for a non-transferable commercial fishing lifetime access permit (see §13.1134). Commercial fishing without a permit issued by the superintendent, or other than in accordance with the terms and conditions of the permit, is prohibited.

(c) The Superintendent shall include in a permit the terms and conditions that the superintendent deems necessary to protect park resources. Violating a term or condition of the permit is prohibited.

#### **§13.1134 Who is eligible for a Glacier Bay commercial fishing lifetime access permit?**

A Glacier Bay commercial fishing lifetime access permit will be issued by the superintendent to fishermen who have submitted documentation to the superintendent, on or before October 1, 2000, which demonstrates to the satisfaction of the superintendent that:

(a) They possess valid State limited entry commercial fishing permits for the district or statistical area encompassing Glacier Bay for each fishery for which a lifetime access permit is being sought; and,

(b) They have participated as a limited entry permit holder or crewmember in the district or statistical area encompassing Glacier Bay for each fishery for which a lifetime access permit is being sought.

(1) For the Glacier Bay commercial halibut fishery, the applicant must have participated as a permit holder or crewmember for at least 2 years during the period 1992–

1998.

(2) For the Glacier Bay salmon or Tanner crab commercial fisheries, the applicant must have participated as a permit holder or crewmember for at least 3 years during the period 1989–1998.

#### **§13.1136 How can an individual apply for a commercial fishing lifetime access permit?**

An applicant for a lifetime access permit must provide information sufficient to establish eligibility as follows:

(a) The applicant's full name, date of birth, mailing address and phone number;

(b) A notarized affidavit (required), sworn by the applicant, attesting to his or her history of participation as a limited entry permit holder or crewmember in Glacier Bay during the qualifying period for each fishery for which a lifetime access permit is being sought;

(c) A copy of the applicant's current State of Alaska limited entry permit or, in the case of halibut, an international Pacific Halibut Commission quota share (required), that is valid for the area that includes Glacier Bay, for each fishery for which a lifetime access permit is sought;

(d) For qualifying years as a limited entry permit holder, available corroborating documentation of the applicant's permit and quota share history for the Glacier Bay fishery during the qualifying period, and/or for qualifying years as a crewmember, other available corroborating documentation of crewmember status. This may include a copy of the applicant's commercial crewmember license for each qualifying year, a notarized affidavit from their employer (generally a limited entry permit holder, or boat owner hired or contracted by a limited entry permit holder) stating the years worked by the applicant in a qualifying fishery in Glacier Bay, copies of tax forms W-2 or 1099, pay stubs, or other documentation; and

(e) For applicants qualifying as a limited entry permit holder, available corroborating documentation of commercial landings for the Glacier Bay fishery during the qualifying periods—i.e., within the statistical unit or area that includes Glacier Bay. For halibut, this includes regulatory sub-area 184. For Tanner crab, this includes statistical areas 114–70 through 114–77. For salmon, the Superintendent may need additional documentation that supports the applicant's declaration of Glacier Bay salmon landings. For halibut and Tanner crab, the Superintendent may consider documented commercial landings from the unit or area immediately adjacent to Glacier Bay (in Icy Strait) if additional documentation supports the applicant's declaration that landings occurred in Glacier Bay.

(f) Any additional corroborating documentation that might assist the superintendent in a timely determination of eligibility for the access permits.

#### **§13.1138 Where should the documentation for a lifetime access permit be sent?**

Before October 1, 2000, all required information (as listed in §13.1136) should be sent to: Superintendent, Attn: Access Permit Program, Glacier Bay National Park and Preserve, P.O. Box 140, Gustavus, Alaska 99826.

#### **§13.1140 Who determines eligibility?**

The superintendent will make a written determination of an applicant's eligibility for the lifetime access permit based on information provided. A copy of the determination will be mailed to the applicant. If additional information is required to make an eligibility determination, the applicant will be notified in writing of that need and be given an opportunity to provide it.

#### **§13.1142 Can I appeal denial of my commercial fishing lifetime access permit application?**

Yes—If an applicant's request for a commercial fishing lifetime access permit is denied, the superintendent will provide the applicant with the reasons for the denial in writing within 15 days of the decision. The applicant may appeal to the Regional Director, Alaska Region, within 180 days. The appeal must substantiate the basis of the applicant's disagreement with the Superintendent's determination. The Regional Director (or his representative) will meet with the applicant to discuss the appeal within 30 days of receiving the appeal. Within 15 days of receipt of written materials and the meeting, if requested, the Regional Director will affirm, reverse, or modify the Superintendent's determination and explain the reasons for the decision in writing. A copy of the decision will be forwarded promptly to the applicant and will be the final agency action.

#### **§13.1144 How often will commercial fishing lifetime access permit be renewed?**

The superintendent will renew lifetime access permit at 5-year intervals for the lifetime of a permittee who continues to hold a valid State limited entry commercial fishing permit, and for halibut an International Pacific Halibut Commission quota share, and is otherwise eligible to participate in the fishery under Federal and State law.

#### **§13.1146 What other closures and restrictions apply to commercial fishermen and commercial fishing vessels?**

The following are prohibited:

(a) Commercial fishing in the waters of Geikie, Tarr, Johns Hopkins and Reid Inlets.

(b) Commercial fishing in the waters of the west arm of Glacier Bay north of 58°50.0'N., except commercial fishermen who have been authorized by the superintendent to troll for salmon may troll for king salmon during the period October 1 through April 30, in compliance with state commercial fishing regulations.

(c) Commercial fishing in the east arm of Glacier Bay, north of an imaginary line running from Point Caroline through the southern point of Garforth Island and extending to the east side of Muir Inlet, except commercial fishermen who have been authorized by the superintendent to troll for salmon may troll for king salmon south of 58°50.0'N latitude during the period October 1 through April 30, in compliance with state commercial fishing regulations.

#### **Vessel Permits**

#### **§13.1150 Is a permit required for a vessel in Glacier Bay?**

A permit from the superintendent is required for motor

vessels in accordance with this subpart and applicable regulations in this part.

#### **§13.1152 Private vessel permits and conditions.**

In Glacier Bay from June 1 through August 31 an individual must have a permit from the NPS issued for a specific vessel for a specific period of time.

(a) From June 1 through August 31, when the operator of a private vessel enters Glacier Bay for the first time that calendar year, the operator must go directly to the Bartlett Cove Ranger Station for orientation.

(b) From May 1 through September 30, the operator of a private vessel must immediately notify the Bartlett Cove Ranger Station of the vessel's entry to or exit from Glacier Bay.

#### **§13.1154 Commercial vessel permits and conditions.**

Each commercially operated motor vessel must have a permit to operate in Glacier Bay National Park and Preserve in accordance with §5.3 of this chapter.

(a) A cruise ship must have a concession contract to operate in Glacier Bay.

(b) A tour vessel, charter vessel, and passenger ferry must have a commercial authorization to operate in Glacier Bay.

(c) The operator of a cruise ship, tour vessel, charter vessel, and passenger ferry must notify the Bartlett Cove Ranger Station of the vessel's entry into Glacier Bay within 48 hours in advance of entering Glacier Bay or immediately upon entry.

(d) Cruise ships and tour vessels are prohibited from operating in the Beardslee Entrance and at the entrance to Adams Inlet, as defined as waters within the Wilderness boundaries in those respective areas.

(e) Off-boat activity from a cruise ship, tour vessel, or charter vessel is prohibited, unless authorized by the superintendent.

(f) Off-boat activity from a passenger ferry is prohibited, except for passenger access at the Bartlett Cove docks.

(g) A passenger ferry must travel a direct course between the mouth of Glacier Bay and Bartlett Cove, except when the vessel is granted safe harbor by the Superintendent as stated in §13.1156(e).

#### **§13.1156 Exceptions from vessel permit requirement.**

A vessel permit is not required in Glacier Bay when:

(a) A motor vessel is engaged in official, non-commercial business of the State or Federal Government;

(b) A motor vessel is operating in Bartlett Cove waters east of a line extending from the long axis of the fuel dock to the wilderness boundary of Lester Island;

(c) One motor vessel is launched from a motor vessel that has a permit and only while the authorized motor vessel remains at anchor or operated in accordance with a concession agreement from a permitted motor vessel while that vessel is not underway;

(d) A commercial fishing vessel authorized under this subpart is actually engaged in commercial fishing; or

(e) A vessel is granted safe harbor by the superintendent.

#### **§13.1158 Prohibitions.**

(a) Operating a motor vessel in Glacier Bay without a required permit is prohibited.

(b) Violating a term or condition of a permit or an operating condition or restriction issued or imposed pursuant to this chapter is prohibited.

(c) The superintendent may immediately suspend or revoke a permit or deny a future permit request as a result of a violation of a provision of this chapter.

#### **§13.1160 Restrictions on vessel entry.**

The superintendent will allow vessel entry in accordance with the following table:

Type of vessel	Daily vessel quotas (DVQ)	Period covered by DVQ	Seasonal vessel quota (SVQ)	Period covered by SVQ
Cruise ship	2	Year-round	Up to 184  Up to 122	June 1- August 31  May and September
Tour vessel	3	Year-round	N/A	N/A
Charter vessel	6	June 1- August 31	N/A	N/A
Private vessel	25	June 1- August 31	N/A	N/A
Passenger ferry	1	Year-round	N/A	N/A

**Note:** Cruise ships and tour vessels are limited to the daily vessel quota year-round. Charter and private vessels are not subject to quotas from September through May.

(a) The Director will reduce the vessel quota levels for any or all categories of vessels in this subpart as required to protect the values and purposes of Glacier Bay National Park and Preserve. The director will make these reductions based on the controlling biological opinion issued by the National Oceanic and Atmospheric Administration Fisheries Service under section 7 of the Endangered Species Act, applicable authority, and any other relevant information.

(b) The superintendent will annually determine the cruise ship quota. This determination will be based upon applicable authorities, appropriate public comment and available scientific and other information. The number will be subject to the maximum daily vessel quota of two vessels.

(c) From June 1 through August 31, the superintendent will designate one private vessel permit from the daily quota of 25 as a transit permit. This transit permit may be used only to directly exit Glacier Bay from Bartlett Cove and return directly to Bartlett Cove. The superintendent may establish application procedures and operating conditions. Violating operating conditions is prohibited. This paragraph will cease to have effect on November 30, 2011.

(d) Nothing in this section will be construed to prevent the superintendent from taking any action at any time to protect the values and purposes of Glacier Bay National Park and Preserve.

#### **Vessel Operating Restrictions**

### **§13.1170 What are the rules for operating vessels?**

(a) Operating a vessel within  $\frac{1}{4}$  nautical mile of a whale is prohibited, except for a commercial fishing vessel authorized under this subpart that is actively trolling, setting, or pulling long lines, or setting or pulling crab pots.

(b) The operator of a vessel inadvertently positioned within  $\frac{1}{4}$  nautical mile of a whale must immediately slow the vessel to ten knots or less, without shifting into reverse unless impact is likely. The operator must direct or maintain the vessel on as steady a course as possible away from the whale until at least  $\frac{1}{4}$  nautical mile of separation is established. Failure to take such action is prohibited.

(c) The operator of a vessel or seaplane positioned within  $\frac{1}{2}$  nautical mile of a whale is prohibited from altering course or speed in a manner that results in decreasing the distance between the whale and the vessel or seaplane.

### **§13.1172 When general operating restrictions do not apply.**

Section 13.1170 does not apply to a vessel being used in connection with federally permitted whale research or monitoring; other closures and restrictions in “Vessel Operating Restrictions,” §§13.1170 through 13.1180, do not apply to authorized persons conducting emergency or law enforcement operations, research or resource management, park administration/supply, or other necessary patrols.

### **§13.1174 Whale water restrictions.**

(a) May 15 through September 30, the following waters are designated as whale waters.

(1) Waters north of a line drawn from Point Carolus to Point Gustavus; and south of a line drawn from the northernmost point of Lars Island across the northernmost point of Strawberry Island to the point where it intersects the line that defines the Beardslee Island group, as described in §13.1180(a)(4), and following that line south and west to the Bartlett Cove shore (so as to include the Beardslee Entrance and Bartlett Cove); and

(2) Other waters designated by the superintendent as temporary whale waters.

(b) The public will be notified of other waters designated as temporary whale waters in accordance with §1.7 of this chapter.

(c) Violation of a whale water restriction is prohibited. The following restrictions apply in whale waters unless otherwise provided by the superintendent in the designation:

(1) Operating a motor vessel less than one nautical mile from shore (where the width of the water permits), or in narrower areas navigating outside of mid-channel is prohibited. This restriction does not apply to motor vessels less than 18 feet in length, or vessels actively engaged in fishing activities or operating solely under sail.

(2) Unless other restrictions apply, operators may perpendicularly approach or land on shore (*i.e.*, by the most direct line to shore) through designated whale waters, but they may not transit along the shore.

(3) Operators must follow motor vessel speed limits in §13.1176(a).

### **§13.1176 Speed restrictions.**

(a) From May 15 through September 30, in designated whale waters the following are prohibited:

(1) Operating a motor vessel at more than 20 knots speed through the water; or

(2) Operating a motor vessel at more than 13 knots speed through the water, when the superintendent has designated a maximum speed of 13 knots, or at a maximum speed designated by the superintendent based on NOAA guidelines or new scientific information.

(b) From July 1 through August 31, operating a motor vessel on Johns Hopkins Inlet waters south of 58°54.2'N latitude (a line running due west from Jaw Point) at more than 10 knots speed through the water is prohibited.

### **§13.1178 Closed waters, islands and other areas.**

The following are prohibited:

(a) Operating a vessel or otherwise approaching within 100 yards of South Marble Island; or Flapjack Island; or any of the three small unnamed islets approximately one nautical mile southeast of Flapjack Island; or Eider Island; or Boulder Island; or Geikie Rock; or Lone Island; or the northern three-fourths of Leland Island (north of 58°39.1'N latitude); or any of the four small unnamed islands located approximately one nautical mile north (one island), and 1.5 nautical miles east (three islands) of the easternmost point of Russell Island; or Graves Rocks (on the outer coast); or Cormorant Rock, or any adjacent rock, including all of the near-shore rocks located along the outer coast, for a distance of  $1\frac{1}{2}$  nautical miles, southeast from the mouth of Lituya Bay; or the surf line along the outer coast, for a distance of  $1\frac{1}{2}$  nautical miles northwest of the mouth of the glacial river at Cape Fairweather.

(b) Operating a vessel or otherwise approaching within 100 yards of a Steller (northern) sea lion (*Eumetopias jubatus*) hauled-out on land or a rock or a nesting seabird colony: *Provided, however*, that vessels may approach within 50 yards of that part of South Marble Island lying south of 58°38.6'N latitude (approximately the southern one-half of South Marble Island) to view seabirds.

(c) May 1 through August 31, operating a vessel, or otherwise approaching within  $\frac{1}{4}$  nautical mile of, Spider Island or any of the four small islets lying immediately west of Spider Island.

(d) May 1 through August 31, operating a cruise ship on Johns Hopkins Inlet waters south of 58°54.2'N latitude (an imaginary line running approximately due west from Jaw Point).

(e) May 1 through June 30, operating a vessel or a seaplane on Johns Hopkins Inlet waters south of 58°54.2'N latitude (an imaginary line running approximately due west from Jaw Point).

(f) July 1 through August 31, operating a vessel or a seaplane on Johns Hopkins Inlet waters south of 58°54.2'N latitude (an imaginary line running approximately due west from Jaw Point), within  $\frac{1}{4}$  nautical mile of a seal hauled out on ice; except when safe navigation requires, and then with due care to maintain the  $\frac{1}{4}$  nautical mile distance from concentrations of seals.

(g) Restrictions imposed in this section are minimum distances. Park visitors are advised that protection of park wildlife may require that visitors maintain greater distances from wildlife. See 36 CFR 2.2 (Wildlife protection).

#### **§13.1180 Closed waters, motor vessels and seaplanes.**

(a) May 1 through September 15, operating a motor vessel or a seaplane on the following water is prohibited:

(1) Adams Inlet, east of 135°59.2'W longitude (an imaginary line running approximately due north and south through the charted (5) obstruction located approximately 2 ¼ nautical miles east of Pt. George).

(2) Rendu Inlet, north of the wilderness boundary at the mouth of the inlet.

(3) Hugh Miller complex, including Scidmore Bay and Charpentier Inlet, west of the wilderness boundary at the mouth of the Hugh Miller Inlet.

(4) Waters within the Beardslee Island group (except the Beardslee Entrance), that is defined by an imaginary line running due west from shore to the easternmost point of Lester Island, then along the south shore of Lester Island to its western end, then to the southernmost point of Young Island, then north along the west shore and east along the north shore of Young Island to its northernmost point, then at a bearing of 015° true to an imaginary point located one nautical mile due east of the easternmost point of Strawberry Island, then at a bearing of 345° true to the northernmost point of Flapjack Island, then at a bearing of 081° true to the northernmost point of the unnamed island immediately to the east of Flapjack Island, then southeasterly to the northernmost point of the next unnamed island, then southeasterly along the (Beartrack Cove) shore of that island to its easternmost point, then due east to shore.

(b) June 1 through July 15, operating a motor vessel or a seaplane on the waters of Muir Inlet north of 59°02.7'N latitude (an imaginary line running approximately due west from the point of land on the east shore approximately 1 nautical mile north of the McBride Glacier) is prohibited.

(c) July 16 through August 31, operating a motor vessel or a seaplane on the waters of Wachusett Inlet west of 136°12.0'W longitude (an imaginary line running approximately due north from the point of land on the south shore of Wachusett Inlet approximately 2 ¼ nautical miles west of Rowlee Point) is prohibited.

#### **§13.1182 Noise restrictions.**

June 1 through August 31, except on vessels in transit or as otherwise authorized by the superintendent, the use of generators or other non-propulsive motors (except a windlass) is prohibited from 10 p.m. until 6 a.m. in Reid Inlet, Blue Mouse Cove and North Sandy Cove.

#### **§13.1184 Other restrictions on vessels.**

The superintendent will make rules for the safe and equitable use of Bartlett Cove waters and for park docks. The superintendent will notify the public of these rules by posting of a sign or a copy of them at the dock. Failure to obey a sign or posted rule is prohibited.

#### **§13.1186 What are the emission standards for vessels?**

(a) The State of Alaska statutes and regulations applicable to marine vessel emission standards are adopted as a part of these regulations.

(b) Violating a State of Alaska statute or regulation applicable to marine vessel visible emission standards is prohibited.

#### **§13.1188 Where to get charts depicting closed waters.**

Closed waters and islands within Glacier Bay as described in §§13.1174–13.1180 of this subpart are described as depicted on NOAA Chart #17318 GLACIER BAY (4th Ed., Mar. 6/93) available to the public at park offices at Bartlett Cove and Juneau, Alaska.

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17/07